

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FEDERAL FIREARMS LICENSEES OF ILLINOIS, an Illinois not-for-profit corporation, GUNS SAVE LIFE, an Illinois not-for-profit corporation, GUN OWNERS OF AMERICA, a California non-stock corporation and not-for-profit membership organization, GUN OWNERS FOUNDATION, a Virginia non-stock corporation and a not-for-profit legal defense and educational foundation, PIASA ARMORY, a Missouri corporation, DEBRA CLARK, a resident of Cumberland County, Illinois, JASMINE YOUNG, a resident of Madison County, Illinois, and CHRIS MOORE, a resident of Hardin County, Illinois,

Plaintiffs,

v.

JAY ROBERT “J.B.” PRITZKER, in his official capacity as Governor of the State of Illinois, KWAME RAOUL, in his official capacity as Attorney General of the State of Illinois, and BRENDAN KELLY, in his official capacity as Director of the Illinois State Police,

Defendants.

Case No. 23-215-SPM

UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendants JB Pritzker, in his official capacity as Governor of the State of Illinois, Kwame Raoul, in his official capacity as Attorney General of the State of Illinois, and Brendan Kelly, in his official capacity as Director of the Illinois State Police (collectively, the “State Defendants”), by and through their attorney, Kwame Raoul, Attorney General of the State of Illinois, move pursuant to Federal Rule of Civil Procedure 6(b) for an extension of time of the deadlines to respond to Plaintiffs’ motion for preliminary injunction (up to and including March 2, 2023) and answer or otherwise plead (up to and including March 16, 2023), and state as follows:

1. Plaintiffs filed this lawsuit on January 24, 2023, challenging provisions in Public Act 102-1116, the Protect Illinois Communities Act (“the Act”), which was signed and took effect on January 10, 2023. Doc. 1. Plaintiffs allege that the Act’s restrictions on the purchase and sale of assault weapons and large capacity magazines violate their rights under the Second Amendment, as incorporated by the Fourteenth.

2. Director Kelly was served with summons on January 25, 2023. On information and belief, Governor Pritzker and Attorney General Raoul have not been served. Director Kelly’s deadline to answer or otherwise plead is February 15, 2023.

3. Plaintiffs filed their motion for preliminary injunction on February 6, 2023. Under the 14-day deadline set by local rule, Defendants’ response to the motion is due February 20, 2023.

4. On February 10, 2023, the State Defendants’ counsel spoke by phone with Plaintiffs’ counsel about the State Defendants’ request for an extension to respond to Plaintiffs’ preliminary injunction motion on or before March 2, 2023, and to answer on or before March 16, 2023. **Plaintiffs do not oppose this request.**

5. Plaintiffs’ counsel has also initiated discussions with State Defendants’ counsel about the possibility of a coordinated briefing process for the four similar preliminary injunction motions pending before this Court—all of which seek to enjoin the Act on Second Amendment grounds. *See Langley, et al. v. Kelly, et al.*, Case No. 23-192-SPM; *Harrel, et al. v. Raoul, et al.*, Case No. 23-141-SPM; *Barnett, et al. v. Raoul, et al.*, Case No. 23-209-SPM). The topics under consideration in these discussions include: the possibility of the State Defendants filing a single, consolidated response brief to the four motions; a proposed, mutually agreeable page limit for such a brief; a limited stay on preliminary injunction proceedings on non-Second Amendment claims in order to streamline the Court’s consideration of the common Second Amendment claims; a

coordinated process for the various plaintiffs' to reply; and a mutually agreeable deadline for the State Defendants to answer or otherwise plead after Defendants file their response to plaintiffs' preliminary injunction motions. These discussions are on-going among Plaintiffs' counsel in this case, plaintiffs' counsel in the related cases, and counsel from the Attorney General's Office.

6. Separately, counsel for the State Defendants has received the Court's February 13, 2023 minute order requiring the State Defendants to provide "illustrative examples of each and every item" restricted by 720 ILCS 5/24-1.9. The State Defendants are preparing an appendix of photographs with each item covered by 720 ILCS 5/24-1.9 identified by name, which they will submit with their response to the various preliminary injunction motions.

WHEREFORE, for the above and foregoing reasons, the State Defendants request that this Court extend the deadline to respond to Plaintiffs' motion for preliminary injunction to March 2, 2023 and to answer or otherwise plead to March 16, 2023.

Dated: February 14, 2023

Respectfully submitted,

/s/ Laura K. Bautista
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Federal Firearms Licensees of Illinois, et al. v. Pritzker, et al., SDIL 23-215-SPM

CERTIFICATE OF SERVICE

I certify that on February 14, 2023, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Laura K. Bautista
Laura K. Bautista
Assistant Chief Deputy Attorney General